

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, December 19, 2006 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark D Kinser, Chair
Jack Miller
Troy Smith
Robert M Kirby
Mark Cronin
Ann Rackas Pate
Michael Redifer
Ken Hart
Deborah Tomlin
Dorothy Wood

Board Members absent from the meeting were: Anthony Orange, Co Chair, Jeffrey Modisett and Wyatt Walton.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
David Ashe, Chief Deputy
Eric L. Olson, Executive Director
Karen O'Neal, Deputy Director, LRD
Eric Gregory, Assistant Attorney General
Kevin Hoeft, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant
Sheila Watkins, Administrative Assistant
Jeffrey Buckley, Legal Assistant
Joe Haughwout, Legal Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Nick Christner, Deputy Director, CID
Jennifer Kazzie, Asst. Director, Adjudication

Chairman Mark Kinser called the meeting to order at 9:10 a.m. and declared a of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to approve the agenda as written. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

**Approval of
the Agenda**

Orange, Walton and Modisett were absent.

Ms. Wood moved to approve the following minutes as submitted from the:

**Approval of
Minutes**

November 28, 2006, Board for Contractor Meeting
October 26, 2006 Informal Fact Finding Conference
November 07, 2006 Informal Fact Finding Conference
November 09, 2006 Informal Fact Finding Conference
November 14, 2006 Informal Fact Finding Conference
November 15, 2006 Informal Fact Finding Conference
November 16, 2006 Informal Fact Finding Conference
November 28, 2006 Informal Fact Finding Conference
November 30, 2006 Informal Fact Finding Conference
December 05, 2006 Informal Fact Finding Conference

Mr. Hart seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

There was no public comment.

**Public
Comment
Period**

In the matter of License Application File Number 2007-00832 Gary Boothe, t/a Gary Boothe's Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-00832
Gary
Boothe, t/a
Gary
Boothe's
Contracting**

Applicant Gary Boothe participated in the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and second by **Mr. Hart** to

accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board denies the application based upon the record including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-1108.2 of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01402, Richard A Chandler, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01402
Richard A
Chandler**

Applicant Richard A Chandler appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and second by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. Mr. Kirby shared with the Board that the applicant was previously convicted of three counts of bank robbery.

The motion passed by majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Smith, Redifer and Rackas Pate.** Kirby, Hart, Wood and Tomlin voted "no".

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01404, WireAll, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01404
WireAll, Inc.**

Applicant Aleksey Mamet appeared at the IFF and the Board meeting on behalf of WireAll, Inc. He addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01405, Eddie Lee Pyles, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01405
Eddie L
Pyles, Jr.**

Applicant Eddie L. Pyles, Jr. appeared at the IFF. He attended the Board meeting and he addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.** **Mr. Kirby** voted "no".

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01407, Skills Unlimited, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01407
Skills
Unlimited
LLC**

Applicant Jason Fulford along with Council, Deborah Waters. appeared at the IFF and the Board meeting. They addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.** **Mr. Kirby** voted "no".

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01411, Target Termite LLC t/a Target Group Termite Div., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01411
Target
Termite
LLC t/a
Target
Group
Termite Div.**

Applicant William Riffle participated at the IFF on behalf of Target Termite LLC t/a Target Group Termite Div. He attended the Board meeting and addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference in part and deny the license.

The Board has considered its Regulations: 18 VAC 50-22-50 F and other applicable law: §54.1-1110 of the Code of Virginia. The Board denies the application based upon the record. After reviewing the facts, the Board is of the opinion that due to a member of the responsible management being the responsible management of a previous license that was revoked by the Board, and due to fact that granting a license to the applicant with the specialty of Home Improvement Contracting will not limit the scope of work the applicant will be permitted to perform to pesticide services only, the Board voted to deny the application.

The motion passed by majority vote. Members voting "Yes" were: **Kinser, Kirby, Miller, Tomlin, Smith, Wood, Redifer and Rackas Pate.**

Cronin and Hart voted "no".

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01600, Peter Anthony McKinney, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01600
Peter
Anthony
McKinney**

Applicant Peter A. McKinney participated at the IFF. He attended the Board meeting and addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license contingent upon successful completion of ASAP.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01604, Utopian Elements, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01604
Utopian
Elements,
LLC**

Applicant Greg Harner appeared at the IFF and the Board meeting. He addressed the Board and shared his disagreement with the recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to table and revisit this case later in the meeting.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01673, Bradley Callahan, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01673
Bradley
Callahan**

Applicant Bradley Callahan appeared at the IFF. He also attended the Board meeting. **Mr. Callahan** addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01921, Anthony Dean Rich t/a T & S Landscaping, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01921
Anthony
Dean Rich
t/a T & S
Landscaping**

Applicant Anthony Dean Rich appeared at the IFF. He addressed the Board

at the Board meeting. The presiding Board representative **Ms. Chappell** was , Inc.
not present, did not participate in the discussion and did not vote. After
discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Kirby**
to adopt the recommendation contained in the Summary of the Informal Fact-
Finding Conference and approve the license.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and
Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01922, Charles
Gibson, the Board members reviewed the record, which consisted of the
application file, transcript, exhibits, and Summary of the Informal Fact-
Finding Conference.

File Number
2007-01922
Charles
Gibson

Applicant Charles Gibson appeared at the IFF and the Board meeting. He
addressed the Board and shared his agreement with the recommendation. The
presiding Board representative **Ms. Chappell** was not present, did not
participate in the discussion and did not vote. After discussion, a motion was
made by **Mrs. Wood** and seconded by **Mr. Redifer** to accept the
recommendation contained in the Summary of the Informal Fact-Finding
Conference and grant the license.

The motion was approved by majority vote. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and
Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01922, Larry
Gene Merrell, t/a Seminole Tile Co., the Board members reviewed the
record, which consisted of the application file, transcript, exhibits, and
Summary of the Informal Fact-Finding Conference.

File Number
2007-01923
Larry G
Merrell t/a
Seminole
Tile, Co.

Applicant Larry G and Kim Merrell appeared at the IFF and the Board
meeting. They addressed the Board. The presiding Board representative **Ms.**
Chappell was not present, did not participate in the discussion and did not
vote. Mr. Kirby chaired this case and Mr. Kinser was not present and did not
participate in the matter. After discussion, a motion was made by **Mrs. Wood**
and seconded by **Mrs. Rackas Pate** to accept the recommendation contained
in the Summary of the Informal Fact-Finding Conference and deny the
license.

The motion passed by majority vote. Members voting "Yes" were. Kirby, Miller, Hart, Wood, Redifer and Rackas Pate. Tomlin, Cronin and Smith voted "no".

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-00997, Cindy Nicholson & Dianne Santen (Claimant) vs. Felix Rodriguez t/a Seneca Design & Remodeling vs. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Felix Rodriguez (Regulant) did not appear at the board meeting. Cindy Nicholson & Dianne Santen (Claimants) appeared at the board meeting and shared their agreement with the recommendation. Mr. Ward, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. Mr. Kinser chaired this case. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$5,455.75. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

File Number
2006-00997
Cindy
Nicholson &
Dianne
Santen vs
Felix
Rodriguez
t/a Seneca
Design &
Remodeling

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01012, Dolly Schell (Claimant) vs. Michael Castiglia t/a Castiglia's Exterior Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Michael Castiglia t/a Castiglia's Exterior Remodeling (Regulant) did not appear at the board meeting. Dolly Schell (Claimant) did not appear at the board meeting. Mr. Ward, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Smith to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$2,550.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

File Number
2006-01012
Dolly Schell
vs Michael
Castiglia t/a
Castiglia's
Exterior
Remodeling

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01990 - Prima Facie,

File Number

Troy & Donna Stewart (Claimant) vs. Donna Stewart, t/a Windows Unlimited & Custom Remodeling (Regulant); the board reviewed the record, which consisted of the claim file. **Susan Riggs t/a Windows Unlimited & Custom Remodeling (Regulant)** did not appear at the board meeting. **Troy & Donna Stewart (Claimants)** appeared at the board meeting. They addressed the Board. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mrs. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$17,197.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

**2006-01990
Troy &
Donna
Stewart vs.
Susan Riggs
t/a Windows
Unlimited &
Custom
Remodeling**

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01997, Timothy Bennette (Claimant) vs. roger Simmons, t/a Simmons Renovations (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Roger Simmons t/a Simmons Renovations (Regulant)** did not appear at the board meeting. **Timothy Bennette (Claimant)** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mrs. Wood** to adopt the review claim and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$9,403.01. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

File Number
**2006-01997
Timothy
Bennette vs
Roger
Simmons t/a
Simmons
Renovations**

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-02002, David Sinnott (Claimant) vs. R. C. Cooper & Sons Plumbing & Heating t/a Cooper Robin C. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **R. C. Cooper & Sons Plumbing & Heating t/a Cooper Robin C. (Regulant)** did not appear at the board meeting. **David Sinnott (Claimant)** appeared at the board meeting and shared their agreement with the recommendation. He emailed his statement to the Board sharing his agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. **Mr. Kirby** shared that he felt the amount needed to be modified based on math error. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to continue the case to the January 23, 2007 Board meeting.

File Number
**2006-02002
David
Sinnott vs R.
C. Cooper &
Sons
Plumbing &
Heating t/a
Cooper
Robin C.**

The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-02517, David & Anna Egbert (Claimant) vs. Britt Barbour, t/a Lasting Impressions (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Britt Barbour, t/a Lasting Impressions (Regulant) appeared at the IFF.** Neither he nor anyone on his behalf appeared at the board meeting. **David & Anna Egbert (Claimant) appeared at the IFF.** They did not attend the board meeting. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mrs. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$2,058.68. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

**File Number
2006-02517
David &
Anna Egbert
vs Britt
Barbour t/a
Lasting
Impressions**

Orange, Walton and Modisett were absent.

As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2006-02531, Ruth & Roger Crockett (Claimant) vs. James Hiles t/a KZA Home Improvement (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James Hiles t/a KZA Home Improvement (Regulant) did not appear at the board meeting. Ruth & Roger Crockett (Claimants) did not appear at the board meeting. Mr. Ward, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.** After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$5,276.00. The motion passed by unanimous vote. Members voting "yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

**File Number
2006-02531
Ruth &
Roger
Crockett vs
James Hiles
t/a KZA
Home
Improve-
ment**

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-02619, Joanne Post (Claimant) vs. The Compleat Interior (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither The Compleat Interior (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **Joanne Post (Claimant)** participated at the IFF via teleconference via attorney. Attorney Russ Watson appeared at the board meeting and addressed the Board on her behalf. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$11,409.80. The motion passed by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

File Number
2006-02619
Joanne Post
vs The
Compleat
Interior

Orange, Walton and Modisett were absent.

As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2006-02914, Allen, Louise & Phyllis Leffler & Joan & Sam Hall (Claimant) vs. Zachary Weber, t/a Weber Works (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Zachary Weber, t/a Weber Works (Regulant)** did not appear at the board meeting. **Allen, Louise & Phyllis Leffler & Joan & Sam Hall (Claimant)** appeared at the board meeting. Mark Leffler attorney for the claimants addressed the Board. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

File Number
2006-02914
Allen Louise
& Phyllis
Leffler &
Joan & Sam
Hall vs.
Zachary
Weber t/a
Weber
Works

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-02915, Russell Sigeti (Claimant) vs. C. E. William Construction, Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Russell Sigeti. (Regulant)** nor anyone on its behalf appeared at the IFF or the board meeting. **C. E. William Construction, Inc. (Claimant)** appeared at the IFF and the

File Number
2006-02915
Russell
Sigeti vs C.
E. William
Construction

board meeting. He addressed the Board. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mrs. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$12,038.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

, Inc.

Orange, Walton and Modisett were absent.

As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2006-02917, Brett Simmons (Claimants) vs. National Restoration Specialists, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **National Restoration (Regulant)** nor anyone on its behalf appeared at the IFF nor the board meeting. **Brett Simmons (Claimant)** appeared at the IFF and the board meeting. He addressed the Board. After discussion, a motion was made by **Mrs. Wood** and seconded by **Ms. Rackas- Pate** to adopt the recommendation and approve the claim for payment in the amount of \$4,393.77. The motion passed by unanimous vote. Members voting "yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

File Number
2006-02917
Brett
Simmons vs
National
Restoration
Specialists,
Inc.

Orange, Walton and Modisett were absent.

As the Board Representative, Mr. Ward was not present and did not vote.

In the matter of Recovery Fund File Number 2007-00622, - Prima Facie, William & Lea Behan (Claimants) vs. Jacob Davis t/a Davis Contracting (Regulant); the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Jacob Davis t/a Davis Contracting (Regulant)** nor anyone on its behalf appeared at the board meeting. **William & Lea Behan (Claimant)** appeared the board meeting. He addressed the Board. After discussion, a motion was made by **Mrs. Rackas-Pate** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$15,385.03. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

File Number
2007-00622
William &
Lea Behan
vs Jacob
Davis t/a
Davis
Contracting

Orange, Walton and Modisett were absent.

In the matter of Recovery Fund File Number 2006-03021, Joanne Thompson (Claimant) vs. Mitchell Horn & Associates, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Mitchell Horn & Associates Inc. (Regulant)** did not appear at the board meeting.

File Number
2006-03021
Joanne
Thompson
vs Mitchell

Joanne Thompson (Claimant) did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

**Horn &
Associates,
Inc.**

Orange, Walton and Modisett were absent.

In the matter of License Application File Number 2007-01604, Utopian Elements, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-01604
Utopian
Elements,
LLC**

Applicant Greg Harner appeared at the IFF and the Board meeting. He addressed the Board and shared his disagreement with the recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the recommendation and deny the license. The Board has considered its Regulations: 18 VAC 50-22-60 G and other applicable law: §§ 54.1-204 and 54.1-1106 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. After reviewing the facts and the nature of the crimes, the Board is of the opinion they could not protect the health, safety and welfare of the public and agreed it would be negligent to grant a license.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

Pam Kamalakkannan addressed the Board members concerning travel expenses. She answered their questions about travel reimbursement. Mrs. Kamalakkannan explained that hotel fees for the Richmond /Henrico Area for lodging would be honored at a maximum of \$102.00 but the monetary consideration for meals would be applied as required based on the county or city of the stay.

Travel

At 10.50 AM the Board took a break and reconvened at 11:15 AM.

Recess and

Reconvene

In the matter of Disciplinary File Number 2006-04327, Billy Lee Frye, t/a Frye's Home Improvements (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Billy Lee Frye, t/a Frye's Home Improvements (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Steven and Connie Robeson(Complainants) attended the IFF.**

**File Number
2006-04327
Billy Lee
Frye t/a
Frye's Home
Improve-
ments**

As the Board Representative, **Mr. Kirby** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Billy Lee Frye** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 6

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$2,000.00 monetary penalty for the violation of Count 2; \$1,000.00 monetary penalty for the violation of Count 3; and \$1,500.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$5,000.00. As to Counts 2, 3 and 4, the Board voted to impose revocation of license (Number 2705-058618) for the violations. The Board further requires **Billy Lee Frye** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04286, Billy Lee Frye, t/a Frye's Home Improvements (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Billy Lee Frye, t/a Frye's Home Improvements (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Bruce and Meagan Sheppard (Complainants) attended the IFF.

File Number
2006-04286
Billy Lee
Frye t/a
Frye's Home
Improve-
ments

As the Board Representative, Mr. Kirby was not present and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Billy Lee Frye violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 6

Count 5: 18 VAC 50-22-260 B 31

Count 6: 18 VAC 50-22-260 B 14

Count 7: 18 VAC 50-22-260 B 16

Count 8: 18 VAC 50-22-230 B

The motion was approved unanimously. Members voting "Yes" were: Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by Mr. Redifer and seconded by Ms. Wood to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1, \$2,000.00 monetary penalty for the violation of Count 2; \$1,000.00 monetary penalty for the violation of Count 3; and \$2,500.00 monetary penalty for the violation of Count 4; \$500.00 monetary penalty for the violation of Count 5; \$2,500.00 monetary penalty for the violation of Count 6; \$2,500.00 monetary penalty for the violation of Count 7 and \$1,000.00 monetary penalty for the violation of Count 8. Total monetary penalty is \$12,500.00. As to Counts 1, 5 and 8, the Board voted to require Billy Lee Frye have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order. The Board further imposes revocation of license (Number 2705-058618) for the violations of Count 2, 3, 4, 6 and 7. The motion was approved unanimously. Members voting "Yes" were:

Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04133, Richard M Wells t/a R Wells Paving (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, Mr. Kirby was not present and did not vote. Neither Richard M Wells t/a R Wells Paving (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Penny Schweitzer (Complainants) attended the IFF.

**File Number
2006-04133
Richard M
Wells t/a R
Wells Paving**

As the Board Representative, Mr. Kirby was not present and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Rackas Pate to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Richard M Wells violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 15

Count 3: 18 VAC 50-22-260 B 16

Count 4: 18 VAC 50-22-260 B

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by Mr. Redifer and seconded by Ms. Rackas Pate to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$2,000.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; and \$1,000.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$6,000.00. As to Counts 2 and 3 the Board voted to impose revocation of license (Number 2705-071181) for the violations. The Board further requires Richard M Wells have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas

Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03842, Richard Naehr t/a Master Craft Exteriors (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Richard Naehr t/a Master Craft Exteriors (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Joseph Ford (Complainant) attended the IFF.**

**File Number
2006-03842
Richard
Naehr t/a
Master Craft
Exteriors**

As the Board Representative, **Mr. Kirby** was not present and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Richard Naehr**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 6

Count 5: 18 VAC 50-22-260 B 14

Count 6: 18 VAC 50-22-260 B 16

Count 7: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$1,000.00 monetary penalty for the violation of Count 2; and \$1,000.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; \$2,500.00 monetary penalty for the violation of Count 5; \$2,500.00 monetary penalty for the violation of Count 6 and \$1,500.00 monetary penalty for the violation of Count 7. Total monetary penalty is \$10,400.00. As to Counts 1, 2, 3 and 4 the Board voted to require Richard Naehr to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order. The Board also imposed revocation of license (2705-067152) for violation of Count 5, 6 and 7.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-02963, O'Connor Lawrence Construction Co, (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Lawrence O'Connor, (Respondent)** appeared at the IFF on his behalf of **O'Connor Lawrence Construction Co.** He did not attend the board meeting.

File Number
2006-02963
O'Connor
Lawrence
Construction
Co

As the Board Representative, **Mr. Kirby** was not present and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **O'Connor Lawrence Construction Co** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 22

Count 2: 18 VAC 50-22-260 B 23

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mrs. Wood** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$1,000.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$1,000.00. As to Count 1, the Board voted to impose suspension of license (Number 2701-030977) for the violation. In addition, as to 18 VAC 50-22-260 B 22 Count 1, pursuant to §54.1-202 of the Code of Virginia, the board voted to impose no monetary penalty for the violation of the regulation. The Board voted to require **O'Connor Lawrence Construction Co** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion was approved unanimously. Members voting "Yes" were:

Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-01894, O'Connor Lawrence Construction Co (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Mr. Kirby** was not present and did not vote. **Lawrence O'Connor, for O'Connor Lawrence Construction Co (Respondent)** appeared at the IFF on its behalf. He did not attend the Board meeting.

File Number
2006-01894
O'Connor
Lawrence
Construction
Co

As the Board Representative, **Mr. Kirby** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations with amendments to Count 2. The Board found **O'Connor Lawrence Construction Co** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 2

Count 2: 18 VAC 50-22-260 B 18

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanctions: \$1,000.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$1,000.00. As to 18 VAC 50-22-260 B 18 (Count 2), the Board voted to find a violation due to the belief of the licensee, that a third party was handling the change to the paperwork necessary for the licensee to continue operating legally, does not absolve the responsibility from the licensee to ensure it has been accomplished. Further, the Board voted to impose no monetary penalty for the violation of the regulation. The Board further requires **O'Connor Lawrence Construction Co** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas

Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04334, P F Summers of Virginia LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Paul F Summers III and attorney Craig Palik on behalf of, P F Summers of Virginia LLC (Respondent) appeared at the IFF and the board meeting. They addressed the Board. John and Antoinetta DiMartino Butler and their attorney Veronica Sheppard(Complainant) attended the IFF and the Board meeting. They addressed the Board.

**File Number
2006-04334
P F
Summers of
Virginia
LLC**

As the Board Representative, Mr. Modisett was not present and did not vote. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Hart to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found P F Summers of Virginia LLC violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 31 (1 violation of the 2 violations cited)

Count 2: 18 VAC 50-22-260 B 29 (8 violations)

The motion was approved unanimously. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by Mr. Kirby and seconded by Mr. Hart to impose the following sanctions: \$400.00 monetary penalty for one violation of Count 1; \$2,000.00 monetary penalty for the violation of Count 2 (@ \$250.00 each for eight violations. Total monetary penalty is \$2,400.00 As to Counts 1 (1 violation of 2 violations cited), and 3,4 and Count 5, the Board voted to close this aspect of the file with a finding of no violation.

The motion was approved unanimously. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04634, David Booth, t/a

File Number

Millenium Construction (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither David Booth t/a Millenium Construction (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

**2006-04634
David Booth
t/a
Millenium
Construction**

As the Board Representative, **Mr. Orange** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **David Booth** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 14

Count 2: 18 VAC 50-22-260 B 16

Count 3: 18 VAC 50-22-230 B

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions: \$2,500.00 monetary penalty for the violation of Count 1; \$2,500.00 monetary penalty for the violation of Count 2; \$150.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$5,150.00. As to Counts 1 and 2, the Board voted to impose revocation of license (Number 2705-102166) for the violations. The Board further requires David Booth have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04084, Michael Clifford Van Wey Jr, t/a First Choice Construction Services (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Mr. Orange** was not present and did not vote. **Neither Michael Clifford Wey Jr t/a First Choice Construction Services**

**File Number
2006-04084
Michael
Clifford Van
Wey Jr t/a
First Choice**

(Respondent) nor anyone on its behalf appeared at the IFF or the board meeting.

**Construction
Services**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Michael Clifford Van Wey Jr** violated the following sections of its Regulations:

(Effective February 1, 2006)

Count 1: 18 VAC 50-22-260 B 9

(Effective September 1, 2001)

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260 B 31

Count 4: 18 VAC 50-22-260 B 15

Count 5: 18 VAC 50-22-260 B 16

Count 6: 18 VAC 50-22-260 B 28

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions: \$100.00 monetary penalty for the violation of Count 1; \$100.00 monetary penalty for the violation of Count 2; \$50.00 monetary penalty for the violation of Count 3; \$1,000.00 monetary penalty for the violation of Count 4; \$1,000.00 monetary penalty for the violation of Count 5; and \$1,500.00 monetary penalty for the violation of Count 6. Total monetary penalty is \$3,750 00 As to Counts 5 and 6, the Board voted to impose revocation of license (Number 2705-100966) for the violations. The Board further requires **Michael Clifford Van Wey Jr** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2005-03601, Michael D Tomlin, t/a Mike's Home Improvements (Respondent); the board

**File Number
2005-03601**

reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Michael D Tomlin t/a Mike's Home Improvements (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting.**

**Michael D
Tomlin t/a
Mike's
Home
Improve-
ments**

As the Board Representative, **Mr. Orange** was not present and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Michael D Tomlin**, violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-230 A

Count 2: 18 VAC 50-22-260 B 8

Count 3: 18 VAC 50-22-260 B 9

Count 4: 18 VAC 50-22-260 B 14

Count 5: 18 VAC 50-22-260 B

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mrs. Rackas Pate** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$150.00 monetary penalty for the violation of Count 2; \$100.00 monetary penalty for the violation of Count 3; \$2,500 00 monetary penalty for the violation of Count 4; and \$500.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$3,750.00. As to Count 4, the Board voted to impose revocation of license (Number 2705-012789) for the violation. The Board further require **Michael D Tomlin** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03127, Lynnhaven Salvage Inc, t/a Atlantic Waterfront Structures (Respondent); the board

**File Number
2006-03127**

reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Lynnhaven Salvage Inc, t/a Atlantic Waterfront Structures (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting. **Paul Dickson (Complainant)** attended the IFF.

**Lynnhaven
Salvage Inc
t/a Atlantic
Waterfront
Structures**

As the Board Representative, **Mr. Orange** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Lynnhaven Salvage Inc** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 14

Count 2: 18 VAC 50-22-260 B 16

Count 3: 18 VAC 50-22-260 B 6

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$2,500.00 monetary penalty for the violation of Count 1; \$2,500.00 monetary penalty for the violation of Count 2; and \$2,500.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$7,500.00. As to Counts 1, 2 and 3, the Board voted to impose revocation of license (Number 2705-018574) for the violations.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-02639, Bakers Remodeling & Restoration Inc (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Frank Ware for Bakers Remodeling & Restoration Inc (Respondent)** appeared at the IFF. They did not attend the board meeting. **Hilda Nelson (Complainant)** attended the IFF.

**File Number
2006-02639
Bakers
Remodeling
&
Restoration
Inc**

As the Board Representative, **Mr. Orange** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr.**

Kirby to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Bakers Remodeling & Restoration Inc.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 2: 18 VAC 50-22-260 B 6

Count 3: 18 VAC 50-22-260 B 28

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$100.00 monetary penalty for the violation of Count 2; and \$2,500.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$2,600.00. As to Counts 3, the Board voted to impose revocation of license (Number 2705-093866) for the violation. The Board further require **Bakers Remodeling & Restoration Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order. As to 18 VAC 50-22-260 B 27 (Count 1), the Board closes this aspect of the file with a finding of no violation.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-04037, **James A George, t/a Jim And Jake's Paving (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither **James A George, t/a Jim And Jake's Paving (Respondent)** nor anyone on her behalf appeared at the IFF or the board meeting.

File Number
2006-04037
James A
George t/a
Jim And
Jake's
Paving

As the Board Representative, **Mr. Smith** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found

James A George violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$200.00 monetary penalty for the violation of Count 1. Total monetary penalty is \$200.00. As to Count 1, the Board voted to further require **James A George** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-02855, Wesley Edward Perez t/a Virginia Home Service (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Wesley Edward Perez t/a Virginia Home Service (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting.**

**File Number
2006-02855
Wesley
Edward
Perez t/a
Virginia
Home
Service**

As the Board Representative, **Mr. Smith** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Wesley Edward Perez** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 31

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were:

Kinser, Kirby, Cronin, Miller, Tomlin, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$400.00 monetary penalty for the violation of Count 2; \$100.00 monetary penalty for the violation of Count 3; and \$2,500.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$3,400.00. As to Counts 1, 2 and 3 the Board voted to require Wesley Edward Perez have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03975, G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting. On November 17, 2006, G & M made a written request to the Board that this matter be continued. On November 28, 2006, the Board met and reviewed a request for the continuance. The Board granted the continuance. By letter dated November 28, 2006, notice was mailed, via certified mail, that this matter would be considered at the Board's next available meeting held on December 19, 2006. The certified mail was received.**

**File Number
2006-03975
G & M
Homes LLC
Number
Three t/a G
& M Homes
LLC
Number
Three**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **G & M Homes LLC Number Three** violated the following sections of its Regulations:

**(Effective September 1, 2001)
Count 1: 18 VAC 50-22-260 B 9**

Count 2: 18 VAC 50-22-260 B 6
Count 3: 18 VAC 50-22-230 B
Count 4: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Kirby** to impose the following sanctions: \$300.00 monetary penalty for the violation of Count 1; \$1,300.00 monetary penalty for the violation of Count 2; \$500.00 monetary penalty for the violation of Count 3; and \$1,300.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$3,400.00. As to Counts 2 and 4, the Board voted to impose revocation of license (Number 2705-069726) for the violations. The Board further requires **G & M Homes LLC Number Three** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03833, Isaac H Forrest, t/a Isaac And Sons Paving (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Isaac Forrest t/a Isaac And Sons Paving (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

File Number
2006-03833
Isaac H
Forrest t/a
Isaac And
Sons Paving

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with an amendment to the Recommendations. The Board found **Isaac H Forrest** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 27
Count 2: 18 VAC 50-22-260 B 6

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanctions: \$360.00 monetary penalty (instead of \$300.00 and removal of license revocation) for the violation of Count 1; and \$800.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$1,160.00. As to Count 2, the Board voted to impose revocation of license (Number 2705-087993) for the violation.

The Board further requires **Isaac H Forrest** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03538, G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting. On November 17, 2006, G & M made a written request to the Board that this matter be continued. On November 28, 2006, the Board met and reviewed a request for the continuance. The Board granted the continuance.** By letter dated November 28, 2006, notice was mailed, via certified mail, that this matter would be considered at the Board's next available meeting held on December 19, 2006. The certified mail was received.

**File Number
2006-03538
G & M
Homes LLC
Number
Three t/a G
& M Homes
LLC
Number
Three**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **G & M Homes LLC Number Three** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9
Count 2: 18 VAC 50-22-260 B 15
Count 3: 18 VAC 50-22-230 B 6
Count 4: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to impose the following sanctions: \$300.00 monetary penalty for the violation of Count 1; \$1,700.00 monetary penalty for the violation of Count 2; \$800.00 monetary penalty for the violation of Count 3; and \$1,300.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$4,150.00. As to Counts 2, 3 and 4, the Board voted to impose revocation of license (Number 2705-069726) for the violations. The Board further requires **G & M Homes LLC Number Three** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-03304, G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting. On November 17, 2006, G & M made a written request to the Board that this matter be continued. On November 28, 2006, the Board met and reviewed a request for the continuance. The Board granted the continuance. By letter dated November 28, 2006, notice was mailed, via certified mail, that this matter would be considered at the Board's next available meeting held on December 19, 2006. The certified mail was received.**

File Number
2006-03304
G & M
Homes LLC
Number
Three t/a G
& M Homes
LLC
Number
Three

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts

regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **G & M Homes LLC Number Three** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 6

Count 3: 18 VAC 50-22-230 B 13

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to impose the following sanctions: \$300.00 monetary penalty for the violation of Count 1; \$800.00 monetary penalty for the violation of Count 2; and \$1,300.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$2,400.00. As to Counts 2 and 3, the Board voted to impose revocation of license (Number 2705-069726) for the violations. The Board further requires **G & M Homes LLC Number Three** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:
Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-02847, G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither G & M Homes LLC Number Three t/a G & M Homes LLC Number Three (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting. On November 17, 2006, G & M made a written request to the Board that this matter be continued. On November 28, 2006, the Board met and reviewed a request for the continuance. The Board granted the continuance. By letter dated November 28, 2006, notice was mailed, via certified mail, that this matter would be considered at the Board's next available meeting held on December 19, 2006. The certified mail was received.**

**File Number
2006-02847
G & M
Homes LLC
Number
Three t/a G
& M Homes
LLC
Number
Three**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **G & M Homes LLC Number Three** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-260 B 9

Count 2: 18 VAC 50-22-260 B 15

Count 3: 18 VAC 50-22-230 B 6

Count 4: 18 VAC 50-22-260 B 13

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to impose the following sanctions: \$300.00 monetary penalty for the violation of Count 1; \$1,750.00 monetary penalty for the violation of Count 2; \$800.00 monetary penalty for the violation of Count 3; and \$1,300.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$4,150.00. As to Counts 2, 3 and 4, the Board voted to impose revocation of license (Number 2705-069726) for the violations. The Board further requires **G & M Homes LLC Number Three** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Disciplinary File Number 2006-00889, Russell Allen Mason, t/a Allen Home Improvement (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Russell Allen Mason, t/a Allen Home Improvement (Respondent) nor anyone on his behalf appeared at the IFF or the board meeting.**

File Number
2006-00889
Russell Allen
Mason t/a
Allen Home
Improve-
ment

As the Board Representative, **Ms. Wall** was not present and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Russell Allen Mason** violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 3: 18 VAC 50-22-260 B 27

Count 4: 18 VAC 50-22-260 B 6

Count 5: 18 VAC 50-22-230 B 15

Count 6: 18 VAC 50-22-260 B 16

Count 7: 18 VAC 50-22-260 B 13

Count 8: 18 VAC 50-22-260 B 28

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$350.00 monetary penalty for the violation of Count 3; \$800.00 monetary penalty for the violation of Count 4; \$1,700.00 monetary penalty for the violation of Count 5; \$2,000.00 monetary penalty for the violation of Count 6; \$1,300.00 monetary penalty for the violation of Count 7; and \$2,000.00 monetary penalty for the violation of Count 7. Total monetary penalty is \$8,150.00. As to Counts 4,5,6 and 8, the Board voted to impose revocation of license (Number 2705-095283) for the violations. The Board further requires **Russell Allen Mason** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order. As to Count 3, the Board found that the modification to the contract occurred during the period of time that Russell Allen Mason was licensed; therefore, the Board voted to find a violation and impose a monetary penalty for the violation of Count 3 to be consistent with previous Board action. As to Count 1 and 2 the Board closes this aspect of the file with a finding of no violation.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2007-00881, Board v. File Number

Patriot Custom Builders, the Board reviewed the Consent Order.

**2007-00881
Patriot
Custom
Builders**

Patriot Custom Builders LLC, acknowledges an understanding of the charges and hereby admits to a substantial identity of interest and consents to the following term(s) by the Board **A CPA review of Patriot Custom Builders LLC's financial status submitted to the Board no later than July 31, 2007, July 31, 2008 and July 31, 2009; and a CPA annual audit of Patriot Custom Builders LLC's financial status submitted to the Board no later than January 31, 2008, January 31, 2009 and January 31, 2010. Patriot Custom Builders LLC also agrees to pay \$150.00 in Board costs. Patriot Custom Builders LLC agrees to company and if they don't then its license shall be automatically suspended.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent. As the hearing officer **Ms. Wall** was not present and did not participate.

In the matter of Consent Order File Number **2005-05103**, Board v. **Sharlene L. Viers t/a Jerays Construction**, the Board reviewed the Consent Order.

**File Number
2005-05103
Sharlene L
Viers t/a
Jerays
Construction**

Sharlene L Viers, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$300.00 and Count 2: 18 VAC 50-22-260.B31 \$200.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Sharlene L Viers agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within 90 days of the effective date of the Order. Sharlene L Viera also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent. Wall as the hearing officer was not present and did not vote

In the matter of Consent Order File Number **2006-02145**, Board v. **Jamal Saleh Jumah, t/a Jumah General Construction**, the Board reviewed the

**File Number
2006-02145**

Consent Order.

**Jamal Saleh
Jumah t/a
Jumah
General
Construction**

Attorney Robert Skelly and Jamal Saleh Jumah t/a Jumah General Construction, attended the Board meeting and addressed. Jamal Saleh Jumah acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board. Count 1: 18 VAC 135-20-260.B 6 \$1,000.00 and Count 2: 18 VAC 135-20-260.B.29 \$500.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, Jamal Saleh Jumah agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class by attending the class and passing the exam. Jamal Saleh Jumah also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Kirby seconded by Mr. Cronin the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-01603, Board v. AA Allair Heating & Cooling Services LLC, t/a All Air Heating & Cooling Services LLC, the Board reviewed the Consent Order

**File Number
2006-01603
AA Allair
Heating &
Cooling
Services
LLC, t/a All
Air Heating
& Cooling
Services
LLC**

AA Allair Heating & Cooling Services LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.6 \$250.00 and Count 2: 18 VAC 50-22-260 B.15 \$500.00. A total monetary penalty of \$750.00 is hereby imposed. In addition, AA Allair Heating & Cooling Services LLC agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within ninety days of the effective date of the Order. AA Allair Heating & Cooling Services LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Redifer and Rackas Pate. Wood, as the hearing officer did not vote and did not participate.

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-02337, Board v. Pool Masters Inc, t/a Creative Concepts, the Board reviewed the Consent Order.

**File Number
2006-02337
Pool Masters**

Pool Masters Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-230. A \$400.00; Count 2: 18 VAC 50-22-260.B.31 \$400.00. A total monetary penalty of \$800.00 is hereby imposed. In addition, Pool Masters Inc agrees to have a member of Responsible Management successfully complete a Board approved remedial education class by attending the class and passing the exam within ninety days of the effective date of the order. Pool Masters Inc also agrees to pay \$150.00 in Board costs.**

**Inc, t/a
Creative
Concepts**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-02906, Board v. Zensa Design LLC, t/a Zensa Design LLC, the Board reviewed the Consent Order.

**File Number
2006-02906
Zensa
Design LLC,
t/a Zensa
Design LLC**

Zensa Design LLC., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$0.00 and Count 2: 18 VAC 50-22-260.B.13 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Counts 1 and 2, Zensa Design LLC agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Zensa Design LLC also agrees to pay \$150.00 in Board costs. Further, Zensa Design LLC agrees to terminate its license (2705-084530) by completing a Certificate of License Termination form and submitting it to the Board within ninety days of the effective date of the order**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-03129, Board v. Sunshine Contracting Corporation, the Board reviewed the Consent Order.

**File Number
2006-03129
Sunshine
Contracting
Corporation**

Mr. Ryan Sabo attended the Board meeting and he addressed the Board. **Sunshine Contracting Corporation**, acknowledges an understanding of the

charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.31 \$600.00 and Count 2: 18 VAC 50-22-260.B.29 \$500.00. A total monetary penalty of \$1,100.00 is hereby imposed. In addition, Sunshine Contracting Corporation agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Sunshine Contracting Corporation also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-04154, Board v. Brenda K Snyder & Daniel G Snyder t/a Snyder Complete Building Services the Board reviewed the Consent Order.

**File Number
2006-04154
Brenda K
Snyder &
Daniel G
Snyder t/a
Snyder
Complete
Building
Services**

Brenda K Snyder & Daniel G Snyder acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$550.00. A total monetary penalty of \$550.00 is hereby imposed. In addition, for the violation of Count 1, Brenda K Snyder & Daniel G Snyder agree to have a member of Responsible Management successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of the Order.

In addition, Brenda K Snyder & Daniel G Snyder also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-04724, Board v. Don Glover, t/a Don's Home Improvement, the Board reviewed the Consent Order.

**File Number
2006-04724
Don Glover
t/a Don's**

Don Glover, t/a Don's Home Improvement, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.6 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Don Glover agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within ninety days of the effective date of the Order. Don Glover also agrees to pay \$150.00 in Board costs.**

**Home
Improve-
ment**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-05210, Board v. Raymond L Hines, t/a Hines Construction Company, the Board reviewed the Consent Order.

**File Number
2006-05210
Raymond L
Hines t/a
Hines
Construction
Company**

Raymond L Hines, t/a Hines Construction Company acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.6 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Raymond L Hines agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within 90 days of the effective date of the Order. Raymond L Hines also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-05257, Board v. S E M Construction LLC, t/a SEM Construction LLC, the Board reviewed the Consent Order.

**File Number
2006-05257
SEM
Construction
LLC t/a
SEM
Construction
LLC**

S E M Construction LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.8 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In**

addition, S E M Construction LLC agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. S E M Construction LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-05277, Board v. Road Runner Enterprises, t/a New Millenium Builders/roadrunner Paving, the Board reviewed the Consent Order.

Road Runner Enterprises, t/a New Millenium Builders/roadrunner Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$500.00 and Count 2: 18 VAC 50-22-260.B.6 \$2,000.00. A total monetary penalty of \$2,500.00 is herby imposed. In addition, Road Runner Enterprises agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within thirty days of the effective date of the Order. Road Runner Enterprises also agrees to pay \$150.00 in Board costs. Further, for violation of Counts 1 and 2, Road Runner Enterprises agrees to obtain a valid certificate of occupancy for the subject property within thirty days of the order.

Upon a motion by Mr. Redifer seconded by Mr. Kirby the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-05368, Board v. Ronald A Tharrington, t/a R A Tharrington Contracting, the Board reviewed the Consent Order.

Ronald A Tharrington, t/a R A Tharrington Contracting, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.15. \$500.00. A total monetary penalty of

**File Number
2006-05277
Road
Runner
Enterprises,
t/a New
Millenium
Builders/roa
drunner
Paving**

**File Number
2006-05368
Ronald A
Tharrington
t/a R A
Tharrington
Contracting**

\$500.00 is hereby imposed. In addition, Ronald A Tharrington agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within 90 days of the effective date of the Order. Ronald A Tharrington also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Smith the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Redifer and Rackas Pate. As the hearing officer Ms. Wood did not participate and did not vote.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2006-05454, Board v. Two Cheeks LLC, the Board reviewed the Consent Order.

**File Number
2006-05454
Two Cheeks
LLC**

Two Cheeks LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.6 \$500.00; Count 2: 18 VAC 50-22-260.B.31 \$250.00. A total monetary penalty of \$750.00 is hereby imposed. In addition, Two Cheeks LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class by attending the class and passing the exam.

Two Cheeks LLC also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Mr. Miller the board ratified the consent order with an unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

In the matter of Consent Order File Number 2007-00516, Board v. Richard Ray Farmer, the Board reviewed the Consent Order.

**File Number
2006-00516
Richard Ray
Farmer**

Richard Ray Farmer, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-30-190. 9 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Richard Ray Farmer agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Richard Farmer also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Redifer** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Tomlin, Smith, Hart, Wood, Redifer and Rackas Pate.**

Orange, Walton and Modisett were absent.

At 12:03 PM the Board took a break and reconvened at 12:12 PM.

**Recess and
Reconvened**

Kevin Hoeft, Regulatory Boards Administrator- Board for Contractors, discussed the Committee Report with the Board and requested the Board's approval to adopt recommendations from the Committee. After a discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the proposed class approval. President Robert Gregory of Contractors Institute, Inc. requested that the Committee and Board approve his firm's revised lesson plans and resource materials to its Board-approved eight-hour Prelicense and Remedial Education course. These revisions are based on the use of a new class textbook, *Virginia Contractor Business Class Manual*. Contractors Institute, Inc. currently uses *Contractor Business Reference Manual* and *Virginia Contractor's Law* as class textbooks. The motion passed unanimously. Members voting "yes" were: **Cronin, Hart, Kinser, Kirby, Miller, Rackas-Pate, Redifer, Smith, Tomlin, and Wood.** **Modisett, Orange and Walton were not present and did not vote.**

**Other
Business**

After discussion a motion was made by Mr. Redifer and seconded by Mr. Smith to accept the Committee's recommendation of approval of the VCCS's course revision. Regional Business and Industry Coordinator Mindy Fast of the Virginia Community College System (VCCS) requested that the Committee and Board approve the VCCS's revised lesson plans and resource materials to its Board-approved eight-hour Prelicense and Remedial Education course. These revisions are based on the use of a new course textbook, *Virginia Contractor Business Class Manual*. VCCS currently uses *Contractor Business Reference Manual* and *Virginia Contractor's Law* as course textbooks. However, several schools have encountered numerous book availability issues with the publisher of these textbooks. The motion passed unanimously. Members voting "yes" were: **Kirby, Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin.** **Orange, Walton and Modisett were not present and did not vote.**

**Virginia
Community
College
System**

After discussion, and a motion by Mr. Smith, seconded by Mr. Kirby the Board adopted the Committee's recommendation to approve ACES'

**American
Contractors**

eight-hour Prelicense Education course. Richard Payne and Ray Ulmer of American Contractors Exam Services (ACES) requested Committee and Board approval of its eight-hour Prelicense Education course. Executive Director Eric Olson provided ACES with provisional approval for this class on September 6, 2006. ACES has amended its provisionally-approved class to include the booklet, *Virginia: Key Elements for Successful Contractors* and a complementary Power Point presentation. The motion passed unanimously. Members voting "yes" were: Kirby, Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin. Orange, Walton and Modisett were not present and did not vote.

Exam
Services

After discussion, and a motion by Mr. Redifer, seconded by Ms. Rackas Pate the board adopted the Committee's recommendation to approve the Adult and Community Education Division of Fairfax County Public Schools (FFPS) eight-hour Prelicense and Remedial Education course. Executive Director Eric Olson provided FFPS with provisional approval for this class on September 6, 2006. FFPS's course syllabus is based on using *Contractor Business Reference Manual* and *Virginia Contractor's Law* as course textbooks. The motion passed unanimously. Members voting "yes" were: Kirby, Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin. Orange, Walton and Modisett were not present and did not vote.

Fairfax
County
Public
Schools

After discussion, and a motion by Mr. Smith, seconded by Mr. Kirby the board adopted the Committee's recommendation to approve Master Institute's eight-hour Prelicense Education course. Master Institute submitted its proposed course to the Board office on September 11, 2006. After initial review, Executive Director Eric Olson was unable to provide this course with provisional approval based on concerns that Master Institute may have attempted to cover too much material in an eight-hour class and that the syllabus did not provide information on the amount of class time spent on each subject.

Master
Institute

In response to these concerns, President Joseph Lee made and submitted changes to Master Institute's syllabus, which is based on the Virginia edition of the *Business and Project Management for Contractors* published by the National Association of State Contractors Licensing Agencies (NASCLA).

The motion passed unanimously. Members voting "yes" were: Kirby, Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin. Orange, Walton and Modisett were not present and did not vote.

After discussion, and a motion by Mr. Smith, seconded by Mr. Redifer,

Virginia

to adopt Virginia Sprinkler Company, Inc.'s request for approval of the firm providing formal vocational training that includes instruction in the incidental installation of backflow prevention devices for Highway/Heavy (H/H), Fire Sprinkler (SPR) and Landscape Irrigation (ISC) contractors. Virginia Sprinkler Company, Inc. was approved by the Board to provide 40 hours of formal vocational training for Backflow Prevention Device Worker Certification on August 8, 2001. The Board voted unanimously to: to approve Virginia Sprinkler Company, Inc.'s request to provide formal vocational training that includes instruction in the incidental installation of backflow prevention devices for Highway/Heavy (H/H), Fire Sprinkler (SPR) and Landscape Irrigation (ISC) contractors.

**Sprinkler
Company,
Inc.**

The vote was unanimous.

Members voting yes were: **Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin.** Orange, Walton and Modisett were not present and did not vote.

After discussion, and a motion by Mr. Smith, seconded by Mr. Redifer, to adopt the Committee's recommendation to follow the process of Regulation Amendment for the following:

**Financial
Position of
Class A and
Class B
Contractors**

Raising the requirement of the net worth or equity requirement to \$100,000 for a Class A Contractor and to \$50,000 for a Class B Contractor.

The motion passed with a majority vote.

Members voting yes were: **Kinser, Hart, Cronin, Miller, Redifer, Smith and Tomlin.** Orange, Walton and Modisett were not present and did not vote. Members voting no were: **Wood and Rackas Pate.**

Kevin Hoeft updated the Board regarding possible reciprocal examination/licensing agreements concerning the Kentucky Journey and Master Tradesman Plumbing Licenses, the Washington state Journeyman Electrical and Plumbing Licenses and the Oregon Journeyman Plumber and Journeyman and Supervisor (Master) Electrical Tradesman Licenses.

**Reciprocity
Update**

Kentucky plumbers are licensed according to the Kentucky Plumbing Code, which is unique to Kentucky, and which may create an obstacle to reciprocity. The Committee requested further information concerning Kentucky's unique plumbing code.

Board staff will send Washington and Oregon the Board's entry Requirements for the above-mentioned tradesman licenses so that these states can determine whether their entry requirements are substantially equivalent to Virginia's.

First, can a licensed Contractor Business that changes its business entity keep

New

its same license number? This action appears to conflict with the statutory and regulatory provisions concerning the licensing of contractor business entities. It was noted that a licensed contractor business that simply changes its license class may be able to keep the same license number. The Board agrees with The Committee to request Board staff to look further into these questions and report back to the Committee on February 27, 2007.

Business

After discussion, **Mr. Redifer** offered a motion, seconded by **Mr. Kirby** to address the following issues:

Second, what is the official "Address of Record" for a contractor? A Contractor's "Address of Record" is the last or current mailing address that the contractor provided to the Board. Board and Department correspondence is mailed to the licensed contractor at this "Address of Record." If it is discovered, in the course of an investigation, for example, that the contractor has a mailing address other than the Address of Record provided to the Board, then Board or Department correspondence should also be mailed to that other second address. This motion was approved by unanimous vote to that the Board or Department mail correspondence only to the contractor's Address of Record and, if necessary, to a second other discovered address.

Third, is it possible to issue a limited tradesman license to, for example, an incarcerated person? No. It appears that this would require a statutory change. Board staff will look further into this matter and report back to the Committee on February 27, 2007.

Fourth, after discussion, the Board accepts, the Committee's recommendation unanimously that the Board add as a minimum requirement to 18 VAC 50-22-260.B.9 information regarding access to the Virginia Contractor Recovery Fund. Members voting yes were

Kinser, Hart, Cronin, Miller, Wood, Rackas Pate, Redifer, Smith and Tomlin. Orange, Walton and Modisett were not present and did not vote.

Their being no further business to come before the board, the meeting was adjourned at 1.59 P.M. upon a motion by Ms. Wood and seconded by Mr. Kirby. The vote was unanimous. Members voting yes were: **Cronin, Hart, Kinser, Kirby, Miller, Rackas-Pate, Redifer, Smith, Tomlin and Wood. Orange, Modisett and Walton were not present and did not vote.**

**Adjourn-
ment**

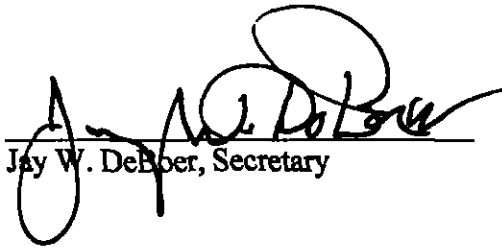
Board for Contractors Meeting Minutes

December 19, 2006

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Mark D. Kinser, Chairman



Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

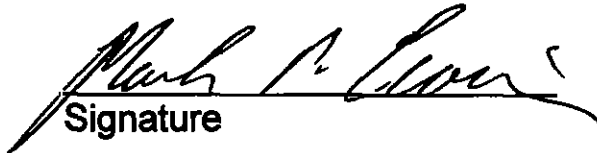
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: **Mark Cronin**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

December 19, 2006
Date

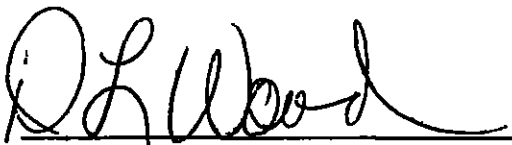
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: **Dorothy Wood**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

December 19, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**


1. Name: Deborah Tomlin
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

December 19, 2006
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT

1. Name: **Robert Kirby**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

December 19, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**


1. Name: **Jack Miller**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b)**

 I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

December 19, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

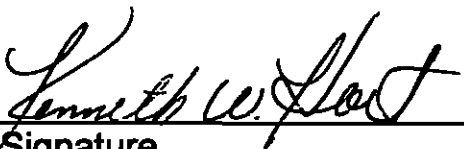
1. Name: **Kenneth W. Hart**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

 (b)

I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

December 19, 2006
Date

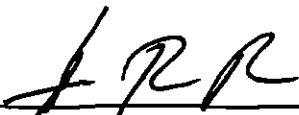
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: **Ann Rackas-Pate**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

December 19, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: **Michael Redifer**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VBODA VPMIA ICC IAEI NFPA

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

December 19, 2006
Date

STATE AND LOCAL GOVERNMENT


CONFLICT OF INTEREST ACT

1. Name: **Mark Kinser**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

December 19, 2006
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

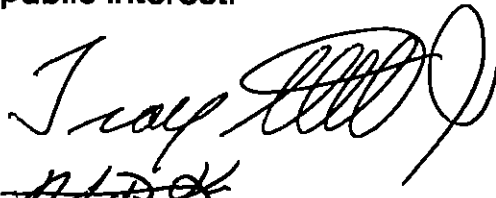
1. Name: **Troy Smith, Jr.**
2. Title: **Member -- Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:
- _____

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

December 19, 2006
Date